

UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION

IN RE:	:	
	:	CASE NO. 07-65842
SOUTH STAR FUNDING, LLC	:	
	:	CHAPTER 7
Debtor	:	
	:	JUDGE: PAUL W. BONAPFEL
	:	
<hr/>		
WELLS FARGO BANK, N.A.,	:	
	:	
Movant	:	
	:	
v.	:	CONTESTED MATTER
	:	
SOUTH STAR FUNDING, LLC	:	
HARRY W. PETTIGREW, Trustee	:	
	:	
Respondents	:	
	:	
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NOTICE OF HEARING

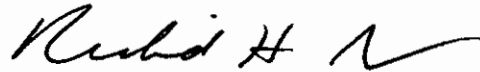
PLEASE TAKE NOTICE that Wells Fargo Bank, N.A. has filed a Motion for Relief from the Automatic Stay and related papers with the Court seeking an Order Granting Motion for Relief from Stay.

PLEASE TAKE FURTHER NOTICE that the Court will hold a hearing on the Motion for Relief from the Automatic Stay in Courtroom 1401, 75 Spring Street, Atlanta, Georgia 30303 at 10:00 A.M. on May 14, 2008.

Your rights may be affected by the court's ruling on these pleadings. You should read these pleadings carefully and discuss them with your attorney, if you have one in this bankruptcy case. (If you do not have an attorney, you may wish to consult one.) If you do not want the court to grant the relief sought in these pleadings or if you want the court to consider your views, then you and/or your attorney must attend the hearing. You may also file a written response to the pleading with the Clerk at the address stated below, but you are not required to do so. If you file a written response, you must attach a certificate stating when, how and on whom (including addresses) you served the response. Mail or deliver your response so that it is received by the Clerk at least two business days before the hearing. The address of the Clerk's Office is: Clerk, United States Bankruptcy Court, 75 Spring Street, Suite 1340, Atlanta, Georgia 30303. You must also mail a copy of your response to the undersigned at the address stated below.

If a hearing on the motion for relief from the automatic stay cannot be held within thirty (30) days, Movant waives the requirement for holding a preliminary hearing within thirty days of filing the motion and agrees to a hearing on the earliest possible date. Movant consents to the automatic stay remaining in effect until the Court orders otherwise.

Dated: 'APR 23 2008;



Richard H. Siegel, Bar No. 645825
Counsel for Movant
McCalla Raymer, LLC
1544 Old Alabama Road
Roswell, Georgia 30076
(770) 643-2148

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION

IN RE:) BANKRUPTCY CASE
)
SOUTH STAR FUNDING, LLC) NO. 07-65842
)
Debtor)
)

)
WELLS FARGO BANK, N.A.,) JUDGE: PAUL W. BONAPFEL
)
Movant)
)
vs.)
)
SOUTH STAR FUNDING, LLC) CHAPTER 7
HARRY W. PETTIGREW, Trustee)
)
Respondents)

MOTION FOR RELIEF FROM THE AUTOMATIC STAY

COMES NOW Movant and shows this Court the following:

1.

This is a Motion under Section 362(d) of the Bankruptcy Code for relief from the automatic stay for all purposes allowed by law and by the applicable contracts, including, but not limited to, the right to foreclose on certain pieces of real property.

2.

Movant is the holder or servicer of loans secured by the properties listed on the attached Schedule. Each property is

security for a Promisory Note. The names of the respective Borrowers, as known to Movant, are listed beside each property address.

3.

Movant believes that Debtor holds or services a loan on each of the properties listed, and that Debtor's lien on each property is inferior to Movant's lien.

4.

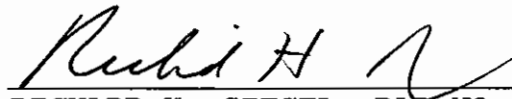
Each of the loans held or serviced by Movant is delinquent, and Movant seeks to initiate, continue and/or conclude foreclosure actions on each of the properties listed, in accordance with State law and its contracts. Movant seeks relief from the automatic stay because it believes Debtor has an interest in each of the properties, and foreclosure of any property would extinguish Debtor's lien thereon.

5.

Movant shows that most of these properties have little or no equity which will benefit the Estate. Movant is therefore not adequately protected.

WHEREFORE, Movant prays for an Order lifting the automatic stay, authorizing Movant to exercise its rights under its Notes,

Security Instruments, and appropriate state statutes, including, but not limited to, the right to initiate, continue and/or conclude foreclosure on these properties. Movant prays for such other and further relief as is just and equitable.



RICHARD H. SIEGEL, BAR NO. 645825
Attorney for Movant

McCalla Raymer, LLC
1544 Old Alabama Road
Roswell, Georgia 30076-2102
(770) 643-2148
(800) 845-8633

<u>Borrowers Name</u>	<u>Property Address</u>	<u>Estimated Payoff</u>	<u>Estimated Value</u>		
Bell, Jack & Deborah Bell	106 East Sunset Drive, Brandon, MS 39042	\$ 169,369.74	\$ 215,000.00	ASC-08-15738	708
Burton, Jeffery	725 Wilberry Point, Madison, MS 39110	\$ 126,069.29	\$ 150,000.00	ASC-08-16154	708
Garcia, Lucia	7132 Penner Lane 26 (or G-26), Fort Myers, FL 33907	\$ 154,381.38	\$ 94,000.00	ASC-08-16210	708
Hittie, Donna	1958 East Cora Avenue, Saint Francis, WI 53235	\$ 132,169.63	\$ 127,000.00	ASC-08-15947	708
Kopecky, Daniel & Billie Kopecky	944 East Washington Avenue, Cleveland, WI 53015	\$ 68,689.90	\$ 48,000.00	ASC-08-15931	708
atimore, Ladonna	550 Aliens Landing, Lawrenceville, GA 30045	\$ 144,802.51	\$ 154,200.00	ASC-08-15777	708
Raeder, Jason & Joyce Raeder	415 South Washington Street, Shawano, WI 54166	\$ 88,462.42	\$ 75,000.00	ASC-08-15743	708
Rennolds, James & Kathleen Rennolds	1049 Portmoor Way, Winter Garden, FL 34787	\$ 278,066.21	\$ 231,000.00	ASC-08-15952	708
Waters, Roseann & Stephen Boots	2030 North East 24th Terrace, Cape Coral, FL 33909	\$ 240,696.81	\$ 135,000.00	ASC-08-16211	708
Williams, Genine	29 Blanchard Avenue, Binghamton, NY 13901	\$ 48,779.70	\$ 55,000.00	ASC-08-15953	708

BANKRUPTCY CASE NO. 07-65842

CHAPTER 7

JUDGE: PAUL W. BONAPFEL

CERTIFICATE OF SERVICE

I, Richard H. Siegel of McCalla Raymer, LLC, 1544 Old Alabama Road, Roswell, Georgia 30076-2102, certify:

That on the date below, I served a copy of the within NOTICE OF ASSIGNMENT OF HEARING, together with the "MOTION FOR RELIEF FROM THE AUTOMATIC STAY" filed in this bankruptcy matter on the following parties at the addresses shown, by regular United States Mail, postage prepaid, unless another manner of service is expressly indicated:

SouthStar Funding LLC
400 Northridge Road
Suite 1000
Atlanta, GA 30350

J. Robert Williamson, Esquire
Scroggins & Williamson
1500 Candler Building
127 Peachtree Street, N.E.
Atlanta, GA 30303

Harry W. Pettigrew, Trustee
Pettigrew & Associates, P.C.
P.O. Box 4030
Decatur, GA 30031

J. Michael Lamberth
Lamberth, Cifelli, Stokes & Stout, P.A.
East Tower - Suite 550
3343 Peachtree Road, N.E.
Atlanta, GA 30326-1022

Neil C. Gordon
171 17th Street, N.W.
Suite 2100
Atlanta, GA 30363

Bell, Jack, Jr. and Deborah Bell
106 East Sunset Drive
Brandon, MS 39042

Burton, Jeffery
725 Wildberry Point
Madison, MS 39110

Garcia, Lucia
7132 Penner Lane G-26
Fort Myers, FL 33907

Hirthe, Donna M.
1958 East Cora Avenue
Saint Francis, WI 53235

Hirthe, Donna M.
1928 East Cora Avenue
St. Francis, WI 53235

Kopecky, Daniel C. and Billie J. Kopecky
944 East Washington Avenue
Cleveland, WI 53015

Kopecky, Daniel C. and Billie J. Kopecky
918 North 4th Street
Sheboygan, WI 53081

Latimore, Ladonna
550 Allens Landing
Lawrenceville, GA 30045

Raeder, Jason R. and Joyce A. Raeder
415 South Washington Street
Shawano, WI 54166

Rennolds, James L. and Kathleen M. Rennolds
1049 Portmoor Way
Winter Garden, FL 34787

Rennolds, James L. and Kathleen M. Rennolds
2700 Plumberry Avenue
Ocoee, FL 34761

Waters, Roseann & Stephen Boots
2030 North East 24th Terrace
Cape Coral, FL 33909

Williams, Genine
29 Blanchard Avenue
Binghamton, NY 13901

I CERTIFY UNDER PENALTY OF PERJURY THAT THE FOREGOING IS TRUE AND CORRECT.

'APR 23 2008

Executed on _____
(date)

By:



RICHARD H. SIEGEL, BAR NO. 645825
Attorney for Movant